### GREENBERG DAUBER EPSTEIN & TUCKER

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EDWARD J. DAUBER

September 13, 2002

Via Telecopy and First Class Mail

Albert R. Veldhuyzen, Esq. Federal Election Commission 999 E Street, N.W. Washington, D.C. 20463

Re:

MUR5279

Bill Bradley for President, Inc.

Dear Mr. Veldhuyzen:

On behalf of our clients Eugene Schenkman ("Eugene"), Mark Schenkman ("Mark"), and Abby Jo Ages ("Abby Jo"), the following is in response to your questionnaires.

Eugene and his children, Mark and Abby Jo, are equity owners in a number of real estate entities managed by Charles Kushner. Specifically, Eugene and/or his children are equity owners in nine such entities. Their interests in those entities are listed on Exhibit A, attached.

In June 2001, Eugene, Mark and Abby Jo were asked by Scott Zecher, Executive Vice President of Kushner Companies, to sign "attribution letters" regarding contributions made in their names to candidates for various federal offices. A sample of the letters from Mr. Zecher requesting their signatures is attached as Exhibit B, and a sample of the "attribution letters" is attached as Exhibit C. None had previously authorized any of these contributions.

Mr. Zecher advised that "contributions are made from time to time to candidates for public

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office on the federal and state levels, as well as to various political organizations." He explained the process by which the Kushner Companies made the contributions:

By law, political contributions are drawn directly from the operating account, "attributed" as contributions by an individual equity holder and deducted from the appropriate capital account. We provide the campaign with attribution information when we send the check to the campaign. We process contributions in this manner to minimize any inconvenience to you.

Mr. Zecher stated that this process fully complied with the relevant law governing contributions to federal candidates and organizations, but that New Jersey required an individual to whom a contribution is attributed to sign either the check or an accompanying attribution letter.

Mr. Zecher stated that the Kushner Companies had been asked to provide attribution letters regarding contributions made to Bill Bradley's 2000 presidential campaign. Although not required to do so, Mr. Zecher continued, the Kushner Companies had decided to provide attribution letters "to all campaigns to which contributions have been made recently." Mr. Zecher thus asked Eugene, Mark and Abby Jo to sign attribution letters after the fact regarding various contributions, of which they had no knowledge.

Upon receipt of the letters, Eugene called Mr. Zecher to inquire about their purpose and necessity. Mr. Zecher advised Eugene that the partnerships referenced in the letters only had made contributions to the candidates or entities referenced in the letters and that the contributions made by each partnership were nominal. As an accommodation to Charles Kushner, Eugene, Mark and Abby Jo signed the letters, obviously well after the date the contributions were made, believing that doing so was appropriate based on Mr. Zecher's representations. Since signing the letters, however,

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Eugene has learned, through newspaper and internet reports, that considerable political contributions beyond those which were disclosed by the June 2001 letter from Mr. Zecher were made in his and his children's names, but without their knowledge and consent, through the entities in which they have interests.

Very truly yours,

Edward J. Dauber

# EXHIBIT A

#### Eugene Schenkman & **Entity Children's Interests** 2% 1. Hoboken Building Associates 15% 2. Long Brook Associates 15% 3. Jumping Brook Associates 25% 4. Q.E.M. Associates 5. River Club Associates 2% 6. Hanover Hills Building Associates 24% 17% 7. Alton Place Associates 8. Westminster/Bellemead Development 33% 20% 9. Westbrook Associates

## **EXHIBIT B**

### KUSHNER COMPANIES

26 COLUMBIA TURNPIKE FLORHAM PARK, NEW JERSEY 07932 Telephone: (973) 822-0050 Telefax: (973) 822-8481

> 26 EAST 64M STREET NEW YORK NEW YORK 10021

June 7, 2001

Mr. Gene Schenkman 16 Northern Drive Bridgewater, NJ 08807

Dear Gene:

As you are aware, contributions are made from time to time to candidates for public office on the federal and state levels, as well as to various political organizations. I am sure you will agree that participating in the political process is essential to demonstrate our commitment to the communities in which we do business, much like our contributions to various charitable and community projects.

By law, political contributions are drawn directly from the operating account, "attributed" as contributions by an individual equity holder and deducted from the appropriate capital account. We provide the campaign with attribution information when we send the check to the campaign. We process contributions in this manner to minimize any inconvenience to you.

While this fully complies with the law governing contributions to federal candidates and organizations, New Jersey law specifically requires the individual to whom the contribution is attributed to sign the check or an accompanying attribution letter. This confirms that you agree to the contribution being attributed to you.

Recently we have been asked to provide attribution letters with respect to contributions made to Bill Bradley's 2000 presidential campaign. Though not required by federal law, we believe that attribution letters should be provided to all campaigns to which contributions have been made recently.

In that we are dedicated to full compliance with both the letter and spirit of all applicable laws, we ask that you sign each of the enclosed attribution letters and return them to us by fax using the enclosed fax cover sheet at your earliest convenience.

Federal and state laws prohibit favoring or disadvantaging anyone by reason of the amount of their contribution or their decision to contribute. If you have any questions about any contribution, you should not hesitate to call me at (973) 410-4916.

Thank you very much for your immediate attention to this important matter.

Very truly yours,

SCOTT ZECHER

**Executive Vice President** 

SZ:kk

### **EXHIBIT C**

June 7, 2001

Bradley for President 2000 Princeton, New Jersey

Attn: Treasurer

Re: Contribution of Gene Schenkman to Bradley for President 2000

#### Dear Sir or Madam:

This letter will confirm the following with respect to my contribution to your campaign by way of check drawn on the bank account of Westbrook Associates LP dated 06/16/99:

- 1. I was at the time this contribution was made an equity owner in the above-referenced entity on whose account the check was drawn;
- 2. I acknowledge that I am aware of and consent to the contribution, which was properly attributed to me personally; and
- 3. The managing agent has confirmed for me that my personal capital account has been debited the full amount of the contribution that was attributed to me.

Thank you for your attention to this matter.

Sincefely,

Gene Schenkman